Supplement to the Bombay Gazette.

VOLUME II.] SATURDAY, AUGUST 21, 1830. [NUMBER 81.

BOMBAY THEATRE.

On Wednesday the 8th September, the Amateurs will have the honor of performing Sheridan's Comedy of

THE

SCHOOL FOR SCANDAL

To which will be added the Musical burlesque, in one act, of

A MOROSO,

KING OF LITTLE BRITAIN.

Further particulars in future announcements.

Advertisement.

WHEREAS by an order of the Supreme Court of Judicature at Bombay dated the 3rd day of July 1830, made in the matter of ANN HEATH a Lunatic, Widow of Robert Tyrrell Heath, deceased late a Lieutenant Colonel in the Military Service of the Hon'ble E. I. C. on their Bombay Establishment. It was referred to WILLIAM FENWICK Master of the said Court to enquire and state to the Court who is or are the next of kin of the said Lunatic residing within the Jurisdiction of the said Court, any person or persons claiming to be the next of kin of the said ANN HEATH (formerly ANN HINTON spinster) are, on or before the 20th day of September next, by their Solicitor to come in before the said Master at his Chambers in Rampart Row, at Bombay aforesaid and make out their Claims.

DAN. BOWDEN SMITH.

SOLICITOR.

To be Let.

A HOUSE thoroughly repaired and painted and formerly occupied by Captain GEORGE JERVIS at Ambrolie opposite to Cowasjee Pateli's Tank. Apply to Messrs. J. JEJEEBHOY AND CO.

Fort, 21st August, 1830.

A CARD.

A EUROPEAN FEMALE, wishing to return to England, will be happy to take charge of one or two Children, or to accompany a Lady, a line addressed A. B care of the PRINTER, will meet with every attention.

Bombay, 21st August, 1830.

To be Let.

THE COUNTRY HOUSE at Mazagon, formerly belonging to Jehangier Ardaseer, with excellent accommodation & would suit for two Families opposite to Col. Thomson's and next to Sir Roger de Faria's Garden. For particulars apply to Messrs. J. JEJEEBHOY and CO.

Bombay, 21st August, 1830.

For Sale,

AT THE GAZETTE OFFICE,

THE

	Rs	qr.
BOMBAY Register and Directory for 1829 | 30....	5	"
Articles of War.....	5	"
Ship's Articles on Royal Paper..	2	"
Book Almanacks' for 1830....	2	"
Sheet Ditto, for 1829..	1	"
Respondentia Bonds, each.. ..	1	"
Policies of Insurance, do.	1	"
Bills of Exchange, per sett....	"	2
Interest Bonds, do.....	"	2
Bills of Lading, do....	"	2
Powers of Attorney, each.. ..	"	2
Price Currents, per doz.....	3	"

LETTER PRESS AND COPPER PLATE PRINTING, neatly executed on moderate terms.

CALCUTTA.

FROM THE BENGAL HURKARU, JULY 24

The *Bombay Courier* received on Thursday, thought proper to inform its readers in the article we quoted yesterday, that Sir John Peter Grant has been positively ordered home, but it has either very little information on the subject, or is very cautious in communicating it. Here in Calcutta, we learn, that has there been something like an official and public appeal from the Judge or the ex-Judge, (as he has here been very unceremoniously called, before he has even quitted the Bench) to the Supreme Government, for protection against anticipated expulsion from the country, by the Bombay Governor! The case, as we have heard it, seems not a little extraordinary. Some of the facts, have been before stated, but we risk the repitition in order to make the statement complete.

In June 1829, it appears, Sir John Grant received advices from England, that it was in February, a question with Ministry whether he should be recalled for his animadversions on the famous "letter Missive." Indignant at this evidence of a determination to prejudge the case, (his own statement not having reached England) the learned Judge immediately wrote to a friend to tender his resignation, if *his* Petition to the King should not meet with attention, and if in the discharge of his duty he was not to receive the support of His Majesty's government.

Before this communication reached England however, the friends of Sir John Grant had seen enough to convince them, that he had little to hope from a Martial Ministry and they had tendered his resignation *subject to a condition* that he should be authorised to reside in Bengal and practise as a Barrister. To this arrangement the King's Government gladly acceded, and the resigation has been since *confirmed*.

In August last, the Directors presented a Petition to the King in Council, praying for Sir John Grant's *removal*. In October this Petition was referred to the Committee of Privy Council. In January the Committee reported, that they could not recommend the Judge's removal, but that he should be ordered to repair to England in order that the Petition might be investigated. On the 2d February, the King in Council ordered that the Secretary for the home department should signify his Majesty's pleasure to Sir John Grant to repair to England *in order to the investigation of the Petition of the Court of Directors*.

General Murray, in pursuance of the new Elephantine policy, we suppose, of making the Companys servant the King's representative and putting the Governor above the Court, forwarded a copy of this order to General Malcolm, and directed him to communicate to Sir John Grant his Majesty's pleasure, forthwith to repair to England, &c.

This important communication reached the Governor in the hills and immediately on its receipt, he forwarded a copy of the Order in Council to Sir J. G. The reply seems to have been a simple acknowledgement of receipt: for a rejoinder came by return of post demanding whether the Judge meant to obey the King's commands and *when!* The answer, as we hear was, that he felt it his duty at all times to obey his Majesty's commands, but that the time and manner of doing so, in this matter, rested with himself. The Major General however, holds apparently a different opinion, and instantly addressed the learned Judge again, informing him, that the order having been forwarded to the head of the Civil Government in Bombay, the responsibility of seeing it obeyed, rested with that authority, from which we infer that he may compel Sir John Grant to leave the country. "In polite Indian phraseology."—"*transmit*" him.

By what logic can the Governor maintain, that he is authorised so to act? Only by the simple *sic volo, sic jubeo!* the favorite maxims for the guidance of Indian Rulers inculcated by the Indo-Political Historian. Sir George Murray merely authorizes the Governor to be the channel of intimating his Majesty's pleasure to Sir John Grant, his servant: such a communication cannot convey a power which the author of it does not himself possess. It is clear that Sir John Grant himself is alone accountable for his obedience or non-obedience to his Majesty's commands. We may add moreover, what Sir G. Murray might have known were it not for the lamentable ignorance of Statesmen at home on Indian affairs, that a Company's Governor has no *personal* political power or functions. He only exists IN COUNCIL, and has no authority seperately*, unless with their delegation and consent, or recorded *dissent*. After which he may act on his own responsibility. However gratifying, therefore, it may be to individual feeling, or to the conqueror in a struggle against independent functionaries, to be addressed personally by the Secretary of State as a King's Governor would be—it is not in the power of any of the parties to the conspiracy for degrading King's Judges beneath Company's Governors, to give powers to the latter which these have not by law. We however fear, that Sir John Malcolm *will* proceed to some extremity, for it does not appear that he has yet deemed it necessary to consult his Council. Who his *advisers* may be we know not, but they could not be his Council since he wrote from the hills and as we have shewn, no time was lost in making his replies and rejoinders.

* Save the power of transmission, which seems to be vested by the Act in Governors General and Governors, without reference to their Council.

The peremptory communication to which we allude was unceremoniously delivered to Sir John Grant on the Bench, we believe, & he learned Judge lost no time in making that appeal to this government for its protection of which we have spoken, and the contents of which have got bruited abroad here, and probably in Bombay.

It will not surprize us to learn ere long, that Sir John Grant himself is compelled to apply to the Court in which he, not long since, presided, for a *Habeas Corpus*, if an attempt should be made to force him away. If he should make such an application, we wonder whether Sir James Dewar will *refuse* the writ in deference to the "TEMPER OF THE TIMES," or leave to the Governor to *resist* it on the plea of "*expediency*." It is said, that he already feels his situation awkward, and has written to the Major General, with a view to ward off this new and singular "*collision*."

What he supreme Government are likely to do in the case, we have not heard. We do not imagine they have any lawful power to interfere, except by the expression of an *opinion*. Whether they will go that length is uncertain. The "*temper of the times*" is against it, for the present Ministers will tolerate no independent Judges in India, nor is it likely they will view favorably the conduct of those who attempt to protect them against degradation. From the justice of the Ministry it is clear, that Sir John Grant has nothing to hope. We believe there is hardly any extremity to which Sir John Malcolm could now proceed (save one indeed from which his humanity effectually protects every one under his government) in which he would not be fully supported by the present Ministry, more especially by Mr. Blifil Peel who does not hesitate to state to the House of Commons on the 11th February, that Sir John Grant was *not* recalled when he knew that the order in Council had been signed on the 2nd, *he being present!*

If Sir John Grant should be forcibly sent out of the country, he has no other remedy to look to, but that which a Court of Justice may afford him. The act will be unequivocally illegal, and it will puzzle the ingenuity of the Company's lawyers to persuade an *honest jury* of the *expediency* of such a violation of the law. There is in truth not the slightest pretext for it

We are not aware of the intentions of Sir John Grant. He has the license of the Board of Control to come round to this side of India to practise; it has been stated in the *Bombay Gazette*, that he intended to leave Bombay for Calcutta in October, and he will probably do so if not prevented.

We should like to know from the most bigotted advocate of the Company, whether such treatment of his Majesty's Judges, is likely to impress the natives with any other feeling than that of contempt for them and the tribunal in which they preside. We shall perhaps be told, that the effect is desirable, that the Courts are a nuisance. Then let them be abolished, say we, but while they do exist let the administrators of justice be held sacred, from the intemperate exercise of power by servants of the Company, who view every institution at all calculated to check the abuse of it, with jealousy and hatred.

SECOND CALCUTTA LOTTERY OF 1830.

Eighth Day's Drawing; Wednesday, July 28.

PRIZES.

Nos. 4963 2664 and 2943 Prizes of 5,000 Sa. Rs. each.

No. 846 Prize of 1,000 Sicca Rupees.

No. 2317 and 900 Prizes of 500 Sa. Rs each.

Nos. 3909 3468 and 3375 Prizes of 250 Sa. Rs. each

Nos. 1781 2762 4418 2328 4247 1719 2668 2975 2227 3823 4479 771 2300 42 3833 2905 2593 2387 2042 1388 1264 5666 539 2124 2806 371 2673 1659 1448 and 3247 Prizes of 100 Sa. Rs. each

Government Securities.

TO BUY] Prem.		JULY 26, 1830.	[TO SELL Prem.
28	8	Remittable.... 27	8 Do.
Dis. 0	6	Old 5 per Cent, Loan.	0 12 Dis.
Pre. 0	2	New ditto ditto	0 3 Dis.
4500	2	Bank of Bengal Share	4800 0

BANK OF BENGAL RATES.

Discount on Private Bills..... ..	7 0
Ditto on Government Bills and Salary Bills	4 0
Interest on Loans on Deposit.....	6 0

COURSE OF EXCHANGE.

BUY,]	CALCUTTA.	[SELL.
1 10	On London 6 Months sight, per Sa. Rs ...	1 10¼

SHIPPING REPORT.

ARRIVALS.—July 29. Bark Bohemian, G. Weaver, from Liverpool the 2d April

— Bark Crown, J. Pinder, from Liverpool the 27th March.

— Ship Artidor, Leynos, from Bordeaux the 5th September, Bourbon, the Mauritius and Pondicherry the 19th June.

— Brig Children, W. Duviches, from the Mauritius the 9th June and Madras 25th July.

July 29th.—The ship Actipor, Leynos, from Bordeaux 5th September, Bourbon and Mauritius, (date not mentioned), and Pondicherry 19th June.

The Brig Children, W. Duraches, from Mauritius 9th June, and Madaas 15th July.

July 30th The English Ship Calcutta, Thos. Watson, from Liverpool 6th March.

The Ecglish Barque James Thomas, from Isle of France (date not mentioned.)

The English Brig Frances Ann, W. Ramsay, from Liverpool 31st March

DEPARTURES.—July 27th Ship Moira, Wm. Bugg, for London

July 31st. The English Barque Lady Munro, J. Aiken, for Madras

Passengers per—Ship Alexander, Captain A. Anderson, For London: Mrs. Winter, Mrs. Smithson and Mrs. Bayley; Revd Dr Brown; Bathie, Graham, Rawland, Griffiths, McLeod and Vincent, Esquires; Captain Bayley; Lieutenant Leemond; two male and female Servants.

Per H. C. Ship General Harris: Captain Armstrong; Captain Cally; and R. W. Poe, Esq.

Per Bohemian, from Liverpool.—Montepore Joseph, Esq.

Per Children, from Mauritius.—W. Morton, Morton, Clergyman.

From Madras. Mr. S. Godfrey, Student.

Per Actide, from Bourbon.—Emile Vosti, and Charles Le Roy, Esq.

DOMESTIC OCCURRENCES.

MARRIAGE.—At Calcutta, on the 28th July, at the Cathedral, Captain J. C. Tudor, of the 46th Regiment Native Infantry, to Harriot Jane, youngest daughter of Charles Becher, Esq. Civil Service.

BIRTHS.—At Seebpore on the 29th July the Lady of John Brightman Esq. of a Son.

At Calcutta, on the 30th July, the Lady of Lieut. Colonel Baumgardt, of a Son.

DEATH.—At Calcutta on the 29th July, John Adam, Esq. M. D. Secretary to the Medical Board, aged 38 years.

MADRAS.

Government Securities, &c.

Remittable.....	31	..Premium.
Old 5 per Cent..	29	..... Do
New Ditto.....	¼	..Do.
Exchange.....	1 | 9.	per Rupee.

SHIPPING REPORTS.

DEPARTURES.—Aug. 7th H. C. Ship London, Captain T. Smith, for Penang, Singapore, and China.

Do. Brig Dolphin, J. H, Willlams, for the Northern Ports.

BOMBAY.

CORRESPONDENCE.

To the Editor of the Bombay Gazette.

SIR,

Many elucidations having lately appeared as to the best mode of collecting the Revenue in this Country, and also which method according to the views of the writer was correct and which otherwise, but as no one, at least as far as I know has yet stated in what actual manner the Land Revenue is collected, I will make an attempt, to describe the various kinds of grain, which pay a tax to Government together with the probability of Profit in the cultivation of one Begah of each grain and take for example all the Lands situated in a village of the Conkan.

Rice for instance is grown on no less than 12 different kinds of Land 1st Prut Oval 2d Prut Bowel, 3d Prut Mullee, 4th Prut Malam 5th Prut Palum, 6th Prut Kuread, 7th Prut Omer, 8th Prut Madewar, 9th Prut Shee

10th Prnt Char Sheem, 11th Prnt Sarwut, 12th Prn Dum. Of these 12 descriptions of Land the very best are Prnt Owal and Prnt Bowel and one Begah of either of these Lands, will produce about two Candies of Rice. Of this 12 and ½ Maunds are paid to Government, half of this quantity is paid in kind and the other half in money, equalling about seven Rupees and a half and ninety eight reas 7-2-98. This sum is collected by Government according to a fixed Narick which values the Candy at Rs. 25. 0. 76. A Begah of either of these descriptions of Lands also pays the Hubshees Government Rs. 1 3 25, the expences of cultivation amounts to about Rs, 14 0 50 and leaves either in the shape of Profit, Rent or surplus Rs. 8 1 47.

The other rice Lands as stated above from No. 3 to No. 10 inclusive yield no profit, unless the price of their produce is worth more than 16 rupees per Candy, consequently these Lands are often left uncultivated or cultivated at much risk.

No. 11 Prnt Sarvunt and No. 10 Prnt Dum, these two Lands yield a small Profit at 16 Rupees per Candy.

Altho' the Revenue collected varies on almost every description of grain still being all collected in nearly the same manner, it will be unnecessary to say more than merely mention the names of the various grains and the different kinds of Lands upon which they are grown, at the same time shewing at what price per Candy one Begah of each land will return a Profit to the Cultivator.

There are three sorts of Naglee or Natchnee Lands viz. Prnt Mandew, Prnt Beter and Prnt Dongur.

A Begah of Prnt Mandew yields about one Candy which is worth about 18 rupees, and will after paying all expences and Taxes leave a Profit or Rent of Rs. 9 1 30. Prnt Betee produces a larger crop, but its expences being more than proportionally great, it's profits are less. Prnt Dongur is much the same as Prnt Mandew.

Hurruk, this grain is grown on only one description of ground, and one Begah will produce about two Candies which at ten rupees per Candy will give a profit of Rs. 13 2 80.

Waree, this grain is produced on three kinds of Land similar to the Naglee or Natchnee ground. The Bitee is considered the best description and one Begah will yield two candies which at 17 Rs. per candy will leave a profit of Rupees 24 0 35.

Oudeet, this grain is grown on only one kind of Land and one Begah produces about 5 maunds which at two Rupees per Maund leaves a Profit of Rs. 3 2 75.

Kuleet, is grown on one sort of land and one Begah gives five maunds which at 1¼ Rs. per maund leaves a Profit of 4 rupees.

Teel, is grown on one Land and one Begah will give 4 Maunds which at 2 Rupees per maund produces 4 rupees Profit.

Teel Kalee, One Begah of this grain yields about 7 maunds, which at 2 Rupees per maund leaves a Profit of 2 Rupees.

Kurwee, a Begah produces about 5 Maunds which at 2 ~~Rs~~ per Maund yields a profit of ~~Rs~~ 4, 3, 35.

Wurnee, a Begah gives about 4 Maunds which at 2 ~~Rs~~ per Maund produces a profit of ~~Rs~~ 3, 1, 25.

Onus, One Begah yields 3¾ Candies by weight which at 25 ~~Rs~~ per Candie leaves a profit of only ~~Rs~~ 3, 0, 40. This grain requires to be watered which makes the expence attending its cultivation high.

Onus this do s not require to be watered and one Begah yields three Candies by weight and a Candy at 25 ~~Rs~~ leaves a profit of 10 ~~Rs~~.

Hullud, a Begah gives by weight 3 Candies which at 25 ~~Rs~~ per Candy produces a profit of ~~Rs~~ 38, 0, 38.

Tag-one Begah produces 1½ Candy which at 30 ~~Rs~~ per Candy, leaves a profit of ~~Rs~~ 13. 0 38.

Besides the Collections on the Land, there are other taxes which are paid to Government viz. the Ghunputtee i. e. a House tax and various other from half ½ Rupee to one Rupee and a quarter 1¼ Rupee, this tax is paid by Hindoos, Bramins being exempt.

Mohur turpha or Trade tax is paid by all tradesmen practising their calling and varies from 1 to 4 ~~Rs~~

Wun Mise ar Buffalo Tax varies from ½ Rupee to 1½ Rupee, Bramins being allowed to keep one Buffalo free, the Wun Mise is not a general Tax.

Bile Dam is a tax on Bullocks kept for hire and varies each from ½ Rupee to 1 Rupee.

Musselmen do not pay the Ghur puttie or Mohur tarpha but a fixed sum of 7 ~~Rs~~ each grown man.

Many of these Taxes are very irregularly paid to Government and as a late writer in the Courier said concerning the land revenue that were a Collector to take the Revenue that should be paid upon all Lands, the Cultivator would be unable to pay any. This certainly would be the case, but I disagree with the said writer in the justice of such actions, in as much as the Tax is very unequally felt. One man may pay Taxes upon nearly all his land, whereas another may pay upon scarcely any.

The increase of cultivation or resources are the only remedies that will ever improve the condition of the People in general and in that proportion to the demand for their labour.

That the Price of Common Labour is ever likely to exceed a comfortable maintenance is not probable, but this would be much superior to any thing the cultivators at present enjoy.

I have above stated at what Price each particular grain yeieds a Profit, but it constantly occurs that the market Price is considerably lower than this, consequently in such instances, the e can be no profit and often loss. It it therefore obvious that in such cases the collections made are too high. If landholders held their Estates on easier Terms, the consequence would be that their condition would not only be bettered, but that they would be enabled to collect a small capital which it is natural they would employ in the cultivation of other Lands thereby taking more Lands, and rather than their Capital should remain idle, cultivate Lands of inferior description, and it is clear that the more land that is in cultivation, the peoples labour must be employed and consequently the demand for labour being increased, the condition of the cultivators must be improved, and altho' the actual Begah may pay a less Revenue to Government the encreased Number of Begahs cultivated would add much to the Revenue, and leave at the same time a great profit to the cultivator. In remitting a slight portion of the Land Collections, another great advantage would arise, that it would protionably to the increase of cultivation tend to increase the demand for labour, consequently in the same proportion every description of cultivator would be enabled to purchase his usual quantity for consumption for a less price, i e. his labour would be worth more. This increased demand for labour would give the cultivator a desire to live something better than he had done before, and instead of living on the lowest and worst kind of food, he would live according to his increased means and thus in a year of scarcity have some discription of food to which he would revert, where as now he has nothing left, but starvation, sickness or misery. That all this may appear simply in Theory but difficult to put into Practice I grant, but experiment may be attempted without probability of risk.

Take a village containing a certain number of Begahs of Land in cultivation and also a quantity of Land out of cultivation allow any Land holder who has land in cultivation, a remittance for a space of years on his good lands in cultivation, upon his taking into cultivation new lands, proportioning, the remittance on the old lands to the improvements actually made on the new land, what then would be the probable effect? That for the first few years the Government collections would be something less in this village, but it is probable that the new lands cultivated would extend the demand for labor, consequently the Wages of cultivators would rise, which would tempt other laborers to settle in this village. This increased population would cause a demand for the produce of the new lands, by which means the good lands would be able to bear a much higher Taxation, and much land now out of cultivation would pay a Revenue to Government.

I am yours,
Mr. Editor,
X X.

To the Editor of the Bombay Gazette.

DEAR SIR,

I shall feel thankful to any of your readers who will inform me in what lies the beauty of the Ex-Secretary to the Literary Society's speaking and writing. Is it Johnsonian, Addisonean, or Lumberonian? Something new in the way of writing one's language would be well worth learning——fifty years hence.

Yours,
BROAD GRINS.

EXCHANGE, &c.

On London,..... at 6 months sight 1 | 9
Bengal..... at 30 days sight, 100 per 100
Madras.....at 30 days sight 10½ per 100

BAZAR VALUE OF COMPANY'S PAPER.

Remitable notes 140 Bombay Rs per 0 | 0 Sc.
Unremitable ditto 107 ditto per 0 | 0 ditto

Notes of the present 5 per Cent Loan opened at Bengal on the 18th August 1825, selling at 108 Bombay per 0 | 0 Siccas.

PRICE OF BULLION.

Spanish Dollars..... 100 per 223 B'by Rs
German Crowns..... 100 per 213 Ditto.

FREIGHTS.

London..... Per Ton £ 5. 5.
China.....Nominal.

THE GAZETTE.

The only arrival since our last is the *Minerva*, Captain Metcalfe, from Liverpool the 9th April.

Passengers,—Captain and Mrs. Jackson, Queen's Royal's.

The Departures have been the Ships *Jupiter*, Weldy and *Ganges* Ardlie, the former to Madras and Calcutta, and the latter to China.

We find the following paragraph in the London John Bull of the 4th April. "It "appears by the newspapers that Mr. Spring "Rice is to accompany Lord Clare to Bombay, "exporting *Rice* to India is something like "sending coals to Newcastle, more especially when of Irish growth, since the name of "that wholesome grain in Oriental parts is "*Paddy*."

ARRIVALS.

ARRIVALS.—Lieut. Heighington, 1st G. Regt.
Capt. Jacob, Ordnance Asst.

SHIPPING REPORT.

ARRIVALS.—August 18th, Ship Minerva, (Free Trader) Philip Metcalfe Master, from Liverpool 9th April,

Passengers per Minerva—Mrs. Jackson, Capt. E. B. Jackson of H. M. 2d Regt. Royals.

DEPARTURES.—Aug. 17th Ship Jupiter, W. H. Weldy Master, to Madras and Calcutta.

Do. Ship Ganges (Free Trader) J. M. Ardlie Master to China,

DOMESTIC OCCURRENCE.

DEATH.—At the Calcutta Presidency, at 6 o'clock, yesterday morning, John Adam Esq. M. D. late Presidency Surgeon, and Secretary to the Medical Board. In this gentleman, the profession has lost one of its brightest ornaments, and society one of its most amiable members. The indigent have reason to lament him and gratefully to revere his memory for his time and his skill were ever readily extended to the humblest individual who sought them; and many are they who have benefited by his gratuitous and valuable professional services. In his official capacity as Secretary to the Board, Dr. Adam's attention to his duties and his urbanity to all who had occasion to communicate with him, attained for him the confidence and respect of his superiors and of the profession at large. As a member of the Medical and Physical Society, the loss of Dr. Adam will be greatly felt for his zeal in the cause of science was tempered by a sound and discriminating judgement, and his extensive practice was continually supplying him with new and valuable facts conducive to its advancement; while as secretary to the Association, a situation he filled with credit to himself and advantage to the public, he was attentive to the communications addressed to him and ever anxious to encourage rising merit. In short, whether in his public or private capacities, few men have lived more generally and deservedly esteemed, and few died more widely and deeply deplored in this community, than Doctor Adam.

English Extracts.

IMPERIAL PARLIAMENT.

HOUSE OF COMMONS,—APRIL 1.

ELLENBOROUGH DIVORCE BILL.

The House then resolved itself into a Committee of the whole House, to take into further consideration the Ellenborough Divorce Bill—Sir George Clerk in the Chair.

Counsel were called in, and Mr. ADAM proceeded to examine witnesses in support of the Bill.

Miss Margaret Steele, the Governess of Lady Ellenborough, stated that she had been acquainted with the Andover family for a great number of years, and that she superintended the education of Lady Ellenborough for six years, and until within a very few months of her marriage; she was present at the marriage; had visited, and remained in the house with them very often, and for long periods subsequent to it, and always considered them to live very happily together, and on terms of mutual affection; she had, up to the year 1828, frequently passed days together in the same house, and never observed any diminution of affection on the part of Lord Ellenborough, or any want of tenderness in his conduct towards Lady Ellenborough; the first time she saw Lady Ellenborough after the separation took place, was at Roehampton; she believed it was the very next day; the confidence and affection of Lady Ellenborough towards her was at that time undiminished; she went there at the desire of Lord Ellenborough, for the purpose of living with her; on the 30th of May, she went with Lady Ellenborough to Ilfracombe, and afterwards to her father's house in Dorsetshire; Lady Ellenborough then confessed to her that she was with child, and that the father of that child was Prince Schwartzenburg, who had drunk tea, and passed the night with her, and part of the next day at Brighton.

Cross-examined by Mr. GEORGE LAMB; When Lady Ellenborough told her she was with child, and that the Prince was the father of that child, no previous conversation had taken place on the subject, nor had she (Miss Steele) required Lady Ellenborough to make such a disclosure; Lady Ellenborough made the confession voluntarily; she wished, she said, to make a disclosure of her guilt, to some friendly bosom there, but, she knew it could not much longer be concealed from the world. She had put no questions to Lady Ellenborough on the subject. It was either the first or second night after she went into the country that this conversation took place. Lady Ellenborough did entreat her not to disclose the subject of their conversation to any one, and told her she relied on her honour not to mention it. Lady Ellenborough did not give any reason for requiring this secrecy to be preserved beyond that already stated of her desire to place confidence in a friend. She first mentioned the subject of the conversation to Lady Andover, or to one of Lady Ellenborough's aunts, she could not tell which, but she knew she had Lady Ellenborough's permission to mention it. This was in the month of July, 1829.

By Mr. AGAR ELLIS: Lady Ellenborough never told her of any period at which she had ceased to sleep with Lord Ellenborough, nor anything to that effect. She never said that she and Lord Ellenborough occupied different beds, nor had they any conversation on the subject at any time.

By Mr. BONHAM CARTER: You say that Lady Ellenborough told you Prince Schwartzenburg was the father of her child. Did she state any reason why she knew that he was the father?—I do not recollect that she gave any reason.

Did she state any reason why she knew that Lord Ellenborough was not the father of the child?—She said she knew he was not, because she had not slept with him from that time.

What time:—The time she was with child. Recollect yourself. Do you means to tell the Committee that Lady Ellenborough said she did not sleep with Lord Ellenborough from the time she was pregnant with her first child?—No, I did not say so. I think I have made it very clear [a laugh].

By Mr. TENNYSON; Do you mean to say that Lady Ellenborough told you she had not occupied the same bed with Lord Ellenborough from the time of her former lying-in?—No; I mean from the time when she said she was with child by Prince Schwartzenburg. When was that? At what time did it take place? I don't know very accurately. some time in February or April, 1829. I really can't tell exactly.

By Mr. B. CARTER; How often did you see Lord and Lady Ellenborough after their marriage?—I saw Lady Ellenborough continually; Lord Ellenborough not so often, but very frequently; I was at their house eight or nine times in the course of a year. Had you any conversation at any of those times with Lady Ellenborough on the subject of the terms on which she lived with Lord Ellenborough?—Never. Did Lady Ellenborough ever tell you at whose request it was that she ceased to sleep with Lord Ellenborough?—She did not; she did not allude to that in any conversation.

By Sir H. HARDINGE; She had always observed the conduct of Lord Ellenborough to be uniformly kind towards Lady Ellenborough; his Lordship seemed to be a most indulgent husband; from the year 1824, until the year 1828, she had opportunities of observing them frequently, and she never perceived any negligence or want of attention in his language or conduct, indeed quite the contrary; Lord Ellenborough was also extremely kind and attentive to the brothers of Lady Ellenborough, and to every member of her family. Are you aware that Lord Ellenborough was very unwailling that his Lady should go abroad?—I know that he was exceedingly averse to it; and although Lady Ellenborough was very desirous to go abroad, his Lordship resisted it to the latest moment, and declared he could not consent to her going abroad.

By Mr. HOME DRUMMOND: Had you any reason to believe there was any indiscretion in Lady Ellenborough's conduct before she confessed to you the intimacy with Prince Schwarzenburg? Only from reports.

By Mr. HUME: Had you not heard that Lady Ellenborough's conduct was blameable before the separation?—I had heard of some indiscretions. What were they?—can't remember. Do you know when you heard of them?—I do not remember the particular period. Did you not, as the friend and confident of Lady Ellenbrough, remonstrate with her on the subject of these indiscretions? Yes; I both spoke to her and wrote to her on the subject. What did Lady Ellenborough say at these times? She justified her conduct, and said that the accusations of levity and indiscretion were not true. At what time did you thus remonstrate with Lady Ellenborough?—I think it was in January, 1829. Did you not hear reports of Lady Ellenborough's indiscretion before that period?—Yes. What was the nature of these indiscretions?—I do not know any thing more; Lady Ellenborough was always very regardless of consequences. You say you frequently visited Lord and Lady Ellenborough. Did you ever meet Prince Schwartzenburg in any of these visits?—No Did you ever see him dine at Lard Ellenborough's house, or visit them?—Never; I never saw him in the house. At what time did you first hear the report of these indiscretions which you speak of?—In the autumn and winter of the year 1828. Did you speak to Lady Ellenborough on the subject at that time?—I did. Of what nature were those reports which reached you at that time?—Indiscretions; I did not hear anything more. Recollect yourself. Was there no specific act of indiscretion which induced you to speak to Lady Ellenborough on the levity of her conduct?—No; I recollect nothing particular beyond her riding a great deal. What, alone?—No; with a servant; I did not think that she should ride so much, attended merely by a servant. Was that all? was there no other act of indiscretion of which you had to complain!—There might probably be others but I do not recollect them now. Does the witness mean to say that she took the trouble to speak and write to Lady Ellenborough on the subject of her indiscretion, and yet she cannot recollect anything but what she states! Did you never hear of any other act of Lady Ellenborough which called on you to give this advice?—I cannot recollect any particular acts; I objected to her general levity of manner, and to her riding and driving about in the pony phaeton accompanied by a groom. Are we to understand that you never heard of any other indiscretions of Lady Ellenborough until sheherself communicated them to you at Roehampton?—I do not remember any others at present; I may recollect by and by; I have seen Lord Ellenborough, and had a conversation with him since the separation. Have you ever conversed with him on the subject of Lady Ellenborough's conduct?—Yes; I have told him that some of Lady Ellenborough's associates were very bad indeed. Can you tell us who where the persons you thus designated as being bad associates for Lady Lady Ellenborough general cries of "No, no." [illegible] question was not pressed]? Were the persons you spoke of in this language Gentlemen or Ladies! Both Gentlemen and Ladies. Were they acquaintances of Lord or of Lady Ellenborough!—I dont know. Were they introduced to the house by Lord Ellenborough?—Yes, they were of course introduced by Lord Ellenborough, were those persons Ladies and Gentlemen moving in that circle of society in which Lord and Lady Ellenborough were accustomed to move?—They were. Did you caution Lord Ellenborough against the permitting his Lady to associate with these ladies?—I cannot say it was a caution; I warned him about these Ladies and Gentlemen, but cannot mention names [hear, hear!]. Were these associates unknown to Lady Ellenborough as Miss Digby!—Certainly. What reason had you to warn Lord Ellenborough against these persons as associates of his Lady!—I had no particular reason: I merely knew them by report as profligate men. What did Lord Ellenborough say when you cautioned him?—I cannot say I cautioned him; I merely warned him. What did he say;—I do not recollect what he said! he laughed Did you laugh, too?—No, I was serious. Did you say anything more?—No, I meant it as a warning to Lord Ellenborough; and finding it was not taken as I anticipated, I did not repeat it. Did you see the same associates at the house of Lord Ellenborough afterwards.—I did. Did Lady Ellenborough visit the ladies you allude to after this period!—She visited them. Did Lord Ellenborough visit them!—I do not know. Did

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you visit Lady Ellenborough after the time you cautioned Lord Ellenborough?—Yes, I visited her repeatedly.

By Sir H. HARDINGE. Were the persons to whom you allude ladies and gentlemen of rank and station in society?—Yes they were. Were they persons of a rank usually seen at places of public amusement?—Yes. They were not persons rejected by society, or refused admittance in respectable houses?—They were persons not rejected at houses *called respectable* [a laugh]. Did you allude to any particular individuals when you cautioned Lord Ellenborough?—Yes, I allude to one individual—a lady whose society I disapproved of. Were you not considered to be rather strict in your principle when you made these complaints?—Perhaps I was. Were not the persons to whom you objected received into the best English society in London?—They were received into the fashionable society of London [hear! and a laugh].

By Mr. AGAR ELLIS: The witness dined with Lord and Lady Ellenborough for the last time in 1828, and up to that time as well as afterwards she never heard Lady Ellenborough make the slightest complaint of the conduct of Lord Ellenborough.

By Sir H. HARDINGE: Lady Ellenborough invariably expressed herself in strong terms of gratitude respecting the conduct of Lord Ellenborough, when she had occasion to allude to it,

In answer to questions from an Honourable Member, the witness stated, that the reason which Lady Ellenborough had given why the child with which she was pregnant was Prince Swartzenburg's, and not Lord Ellenborough's was that she had not slept with Lord Ellenborough since February.

By Sir HENRY HARDINGE: When you state that improper associates were introduced to Lady Ellenborough by Lord Ellenborough, do you mean to say that Lord Ellenborough took especial pains to select those persons for the purpose, or were they merely introduced as fashionable persons in the ordinary cause of society?—That they were merely introduced as fashionable persons in the ordinary course of society.

By Lord NUGENT: Was Prince Swartenburgh, one of the persons introduced by Lord Ellenborough's society?—He was not.

By Mr. HUME: Did any of Lady Ellenborough's family express themselves dissatisfied with her conduct?—The only fault that they laid to her was keeping the society which I have mentioned. Was that the only fault they found with her keeping the society which Lord Ellenborough had introduced to her?—Certainly. Was not this objection on the part of Lady Ellenborough's family made at an early period after the marriage?—Not to my knowledge; not at early period. When did Lady Ellenborough's family first express their objection to the society which Lady Elenborough was keeping?—I do not recollect; I only remember that they blamed her on that account.

By Sir HENRY HARDINGE: You say that Lady Ellenborough's family expressed dissatisfaction at the society which had been introduced to her by Lord Ellenborough; was that dissatisfaction expressed before the occurrence of the indiscretion on the part of Lady Ellenborough, which you have mentioned, or after?—Lady Andover, I believe, made the remark to me, after the occurrence of the circumstances which I have mentioned. Then it was after the indiscretions to which you have alluded that Lady Ellenborough's family expressed their dissatisfaction at the society which she was keeping?—Yes.

By Mr. HUME: The witness has stated that she noticed indiscretions in Lady Ellenborough's conduct. Did she mention those indiscretions—did she mention Lady Ellenborough's riding alone to Lady Ellenborough's family?—I spoke of them to Lady Ellenborough herself; but I did mention them to Lady Ellenborugh's family, because I knew that it would pain them exceedingly.

The witness was then ordered to withdraw.

The next witness called was Mr. Freshfield. He was examanied By Mr. ADAM, and stated in substance that he was Lord Ellenborough's solicitor; that he received instructions to make inquiry respecting the reports and the evidence against Lady Ellenborough on the 29th of June, 1829; that he did not succeed in making anyt material discovery on the subject until the second week in July; that he then discovered tha Prince Schwartzenburg had before resided in Harley-street, a circumstance previously unknown to Lord Ellenborough; that he did not, however, at that time obtain sufficient materials to warrant him in advising Lord Ellenborough to commence proceedings; and that he was afterwards informed that Prince Schwartzenburg had left England.

The witness was then examined by Sir CHARLES WETHERELL; but the Honourable and Learned Gentleman spoke in so low a tone of voice that few of his questions reached us; and we are enabled, therefore, to give the result of his examination very briefly and imperfectly. We understood Mr. Freshfield to state in the course of the examination, that he was satisfied that Lord Ellenborough did not know where Prince Schwartzenburg had lodged before March; that Lord Ellenborough had not told him that he did not know, but that he drew that inference from the instrucuons which he had received that one of his reasons for drawing that inference was that Prince Schwartzenbnrg was described as residing in Holles-street, & that Harley-street was not mentioned, which involved a misdirection to him (the witness), which of course would not have occurred had Lord Ellenborough been aware that at a former period Prince Schwartburg had lived in Harley-street; that the earliest period to which his intructions directed his attention was the autumn of 1828; at which period it was alleged that Lady Ellenborough had been repeatedly seen with Prince Schwartzenburg; that he understood that Prince Schwartzenburg left England in June, 1829; that he made the discovery of Prince Schwartzenburg's having resided in Harley-street before he went to Holles-street by mere accident; that it had not occurred to him to inquire at the Foreign Office where Prince Schwartzenburg had resided; that it was not until after great difficulty and much Search, that he discovered that Prince Schwartzenburg had lived in Harley-street that his instruction stated that it was belived that Prince Schwartzenburg lived in Holles-street, and that the reports were that Lady Ellenborough and Prince Schwartzenburg met in Holles-street; that having by accident discovered that Prince Schwartzenburg had lived in Harley-street, he (the witness) inquired at above twenty houses in that street, and at length found one in which he was informed that a foreigner had lived; that after further inquiry it appeared that that foreigner was Prince Schwartzenburg, and that all the information which he subsequently obtained grew out of that dicovery.

By a MEMBER: Do you consider. Carpenter the boy who was examined before the Committee yesterday evening, to be a willing or an unwilling witness?—A very unwilling witness indeed; I never met with a more unwilling witness Were the general instructions which you received drawn up by Lord Ellenborough?—They were I believe in the handwriting of Mr. William Law, cousin of Lord Ellenborough a gentleman at the bar. Lord Ellenborough had directed his cousin to draw up those instructions?—So I understood Then you understand that Lord Ellenborough had consulted his own family and his cousin, Mr. Willian Law on the subject, before he took the step which he did take?—Yes. From the time you received you instruction until you obtained the information which was necessary for proceeding what time elapsed?—I received my instructions on the 29th of May; it was not until September that I obtained all the necessary information.

By Sir HENRY HARDINGE: From the first conversation which you had with Lord Ellen borough on the subject, did he ever swerve from his determination to proceed in the inquiry?—Never; although at an early period of the inquiry I told him that the circumstannes which I had at that time procured, were not sufficient to bring the inquiry to a satisfactory issue. Did Lord Ellenborough continue at that time to express his determination to proceed in the inquiry?—He did; he said that it was due to his own honour, and that it was due to the honour of Lady Ellenborough; that various reports had been spread about her, which he was bound to investigate, for that her character was the only proof of her innocence, which ought to established by incontrovertible evidence. Lord Ellenborough was allways anxious, then to continue the inquiry?—He never would allow it stand still.

By a MEMBER: Has the witness any reason to believe that previous to the period of which he has been speaking Lord Ellenborough was aware of Lady Ellenborough's acquaintance with Prince Schwartzenburg?—I believe that some report had reached Lord Ellenborough's ears of Lady Ellenborough's having been seen riding with Prince Schwartzenburg. At what period did those reports respecting Lady Ellenborough's riding with Prince Schwartzenburg reach Lord Ellenborough's ears?—I am unable to answer that question. At about what period—I cannot exactly say.

After one or two further questions from Mr. LAMB and Lord FRANCIS OSBORNE, the witness was ordered to withdraw.

The CHAIRMAN having asked the Counsel at the Bar if he had any more witnesses to call.

Mr. ADAM said, that he merely wished to call two witnesses to prove, the one the sentence of the Ecclesiastical Court, the other the hand-writing of Lady Ellenborough's letters. He had also to state to the House that Lord Ellenborough's coachman was in attendance, for the purpose of being examined, if the House should think fit to call him before them.

Two witnesses were then examined to prove the facts respecting the sentence in the Ecclesinstical Court, and the authenticity of Lady Ellenborough's letters.

Sir HENRY HARDINGE said that he thought it right to mention to the House that he had informed Lord Ellenborough of the wish expressed yesterday evening by the Hon. Member for Montrose to have his coachman examined at the bar; and that his Lordship had said that he was anxious, not only his coachman, but every other member of his establishment, should be examined at the bar, if such a proceeding were thought necessary.

Mr. HUME moved that the coachman should be called in.

J. King, to questions put by Mr. HUME: I have been some time in Lord Ellenborough's service, and I am now in it; I recollect Carpenter—he was her Ladyship's groom; he always rode with her Ladyship; another servant did attend her a few times; this was his Lordship's groom—his name was Jewel; he did not go with her Ladyship often; I do not know where they rode; her Ladyship's horses stood in the same stable with mine in town, but not in the country I was the head of the department in his Lordship's family, but I never asked Carpenter where he had been; there was no occasion for the question I might have occasionally observed that the horses had been out a long time; he never mentioned to me any gentlemen having rode with her Ladyship; I am quite certain of that; Carpenter has sometimes brought the horses home without bringing her Ladyship; I never inquired where her Ladyship had been left, or where she had been to; I never heard any report of Prince Schwartzenburg riding with her Ladyship; I have seen the Prince at operas, plays and concerts, attending her Ladyship, but I never saw him at my master's house; my master was not at the opera, or at the other public places, when the Prince was attending her Ladyship; I know the Prince's groom, from having to wait at public pleases for my master whilst he was waitinge for his; wewere both waiting for our respectiv masters. By this means I knew the Prince; I am sure of his person,

To questions by Lord NUGENT: I never saw the Prince in company with Lord Ellenborough, nor in company with her Ladyship when Lord Ellenborough was with her.

Mr. HUME now wished the butler to be called in again, that he might ask him one more question.

Thomas James (as far as we could catch the name) was then called in and examined by Mr. HUME: I have been butler in Lord Ellenbrough's family for upwards of four years; I attended upon his Lordship's family both at Roehampton and in town; his Lordship had frequent dinner parties, at which I attended, but I do not recollect having ever seen Prince Schwartzenburg dining at his Lordship's table; I am positive of this; had he been there I must have known it; he was never at any of his Lordship's evening parties; I know nothing of Prince Schwartzenburg; I know Carpenter, the groom; I never talked to him about where her Ladyship went to when she went out to ride; I had no motivefor such a question; I had never heard any reports of the Prince riding with her Ladyship; if any body has said that this was a subject of conversation in his Lordship's family, he was in error. I never heard anything of it until it was in the public papers; if such had been the topic of conversation among the servants, I must have heard it; I never heard of it directly or indirectly.

To questions put by Sir HENRY HARDINGE: Lord and Lady Ellenborough always treated each other with affection and kindness; I had constant opportunities of witnessing their conduct to each other; had any unkind treatment taken place I must have known it; I never heard the servants mention any unkind treatment between them; Lord Ellenborough never was harsh to her Ladyship, or deficient in tenderness; his manner to her Ladyship was always invariably kind; I have lived in other families—I mean married families, and I should say that Lord Ellenborough was as indulgent a husband as I have seen in any preceding families; he was, in my opinion, more so; at table they did not address each other as Lord and Lady, but as Edward and Janet; her conduct was kind and affectionate to his Lordship.

To questions by Mr. TENNYSON: I cannot say whether Lord and Lady Ellenborough had the same or separate beds; there are two beds in the room, but how far they are separated I can not say [a laugh].

To questions put by Mr. HUME: Lord and Lady Ellenborough were out frequently to parties; I don't know if his Lordship attended her to the evening parties; in the country he rode out with her, but not in town; I don't recollect any particular parties in the autumn of 1828; I am quite certain that the Prince was never in my master's house.

Examined by Sir CHARLES WETHERALL: It was not no orious in the family tha Lord and Lady Ellenborough slept in different beds; in my conversations with the servants of the family, I have heard of their sleeping in separate beds; I can't say from what servant I heard this, most likely it was from his Lordship's valet.

By Lord NUGENT: This was not mentioned as in consequence of any misundertanding or disagreement between Lord and Lady Ellenborough; I never heard that they slept in separate beds from any difference of temper.

Sir HENRY: All the rest of Lord Ellenborough's servants are here, if any Member wish to have them called in and examine them [cries of no, no, no!].

The CHAIRMAN: Counsel may withdraw.

Mr. HUME said that he felt it his duty, after such a mass of contradictory and inconsistent evidence, to protest that the House should no come to a hasty or premature decision. For his part, so numerous and strong were the contradictions, that he did not know on what to rest Who could, at that moment, say how far there might have been any collusion between the parties? And who could hazard an opinion upon the evidence before the Committee? He should submit that the evidence be printed, with a view to see how far it bore out the allegations in the Bill. He should move that the Committee report progress.

Sir GEORGE CLERK said that it was certainly competent for any Honourable Member to move that the evidence be laid before the House, and that it be printed; but he must only beg leave to remind the Honourable Member for Aberdeen, that if he took such a course, the third reading of the Bill would be postponed.

Mr. R. GORDON wished to know if there was any provision made in the Bill for the Support of Lady Ellenborough?

Sir HENRY HARDINGE made some reply, that we ware unable to hear in the gallery.

Dr. PHILLIMORE said that there never were any such provisions in Divorce Bills.

Mr. HUME said, that if upon considering the evidence he should feel satisfied that the adultery of Lady Ellenborough had arisen from the neglect of Lord Ellenborough, he should certainly propose to strike out of the Bill that clause, wich gave his Lordship the relief he sought for. He thought that it would be much better to report progress.

Sir HENRY HARDINGE was surprised to hear the Honourable Member talk of stopping the progress of the Bill. Good God; when the feelings of the families were concerned—when the Bill had had such an extraordinary, such an unusual, sifting—could it be wished to sift it more? No man's conduct could stand better than that of Lord Ellenborough's; and he was prefectly satisfied of the honourable part of the heads of the Lady's family. He must say that it was very desirable to concldue the inquiry. The House must consider that the witnesses were not on oath; and that in a popular assembly it was not useful to the cause of justice that the Bill should hand in that House. The usual course of proceeding was to report the Bill without any amendment; and if the Honourable Member should find any part of the Bill of which he disapproved, it was competent in him to move to strike out the clause in the third reading.

Mr. HUME: The Right Honourable Gentlemen was quite mistaken if he supposed that he was disposed to hurt the feelings of any of the parties, or if he imagined that he was insensible to the painfully nature of the case. What he had done had arisen inlvoluntarily from the nature of the evidence as it had come out before the House. The Right Honourable Gentleman's manner had indicated that he was giving the parties unnecessary pain; and in casting such an imputation upon him, he was not doing him justice. He was prepared to say that he should agree to the separation of Lord and Lady Ellenborough, if it were not for certain forms exacted in that House [hear!]; but if those forms were to form part of the law of the House, though they were mere forms, they ought to be attended to.

The CHANCELLOR of the EXCHEQUER said a few words, the purport of which, further then that they were in opposition to delay, we could not catch.

Mr. TENNYSON must express the same feelings upon the subject as those set forth by the Honourable Member for Aberdeen. He (Mr. Tennyson) had as much feeling of delicacy toward the parties as any Member in thae House; but in a case where there had been no investigation in a Court of Law, it was unprecedented that a Bill of Divorce should pass through Parliament. No Jury, in this case, had given any damages in a Court of Law. He must not be misunderstood to blame Lord Ellenbrough for not going into a Court of Law; but as that usual proceeding had not taken place, the House was bound, in the common exercise of its duty, to go into the Bill.

The CHANCELLOR of the EXCHEQUER said he was very sure that nothing could be further from the intentions of his Right Honourable Friend than to impute blame to any body. He was quite willing to admit that as there were no opposing parties to the Bill, it was peculiarly incumbent upon the House to investigate the case. He denied that it was unprecedented to pass a Divorce Bill where no investigation of the case had taken place in a Common Law Court. The rule was, that a trial at law should take place, or that the parties should state why it had not taken place. This had been done in the present instance; for it was a case in which, from the absence of the parties, it was not possible to produce the requisite evidence in a trial at Common Law.

Sir HENRY HARDINGE denied that he had cast any imputations whatever upon any Member for pursuing the examination of evidence. For his part, he was extremely glad that the examination had taken place, and he should be happy if it were carried futher. All that he complained of was, that the Honourable Member for Aberdeen had proposed a delay painful to the feelings of the parties; not essential to the cause of justice: and, in his opinion, unnecessary in every respect.

Sir C. WETHERELL had only to observe, that the Right Honourable Gentleman, the Chancellor of the Exchequer, was perfectly correct in saying that a Divorce Bill could pass through Parliament without any verdict of a Jury for criminal conversation. The House had occasionally departed from its usage, in consequence of not having such verdicts. The sentence of the Ecclesiastial Courts was first to be procured, and next the verdict of a Jury could not be obtained, it behoved the house to do its best, by examining the case. He could suppose a case, where a delinquent might be promted to go out of the country, in order that such a virdect might not be obtained? or he could suppose many other cases very likely to occur, and in which no verdict in maintained that the House was bound to go through that inqniry the necessity of which would be superceded where a trial had taken place. The case now before the House had not undergone that order; and again he would say, that without such an usual warrantry, the House would not discharge its duty, if it did not go into its merits, investigate facts, and examine witnesses at the Bar, although they were not upon oath. As the case laboured under the defect of wanting a trial by Jury, it was the duty of every Member to make himself a Jury-man, and to try the questions at issue. He was very glad that the inquiry had been gone into and he did not entertain a particle of a doubt of the fact of adultery having been committed. He did lament that more evedence had not been produced It was a right to any indsvidual, when adultery was proved, to obtain a sentence in an Ecclesiatical Court; but he denied that it was his right to obtain a Parliamentary divorce, which was conceded not on a principle of adultery being committed, but upon the indispensible ground that there existdd an absence of misconduct on the part of the husband. By the Ecclesiastical law, and the Divine law, a divorce did not give the husband a right to marry again. But Parliamentary Law and Divine Law were distinct things, and it was only about a century ago that Parliamentary Divorces where conceded; but no writer had denied the proposition that it was not the time of adultery alone that gave the husband the right of a Parliamentary divorce, for it was requisite for him to prove that he had not been so far delinquent as to bar his right to marry again. The case was to be tried three times. Firstthere was the action at Common Law, in which the husband could obtain pecuniary damages for his wife's adultery; then there was the process in the Ecclesiastical Courts, by which he could be released from all the matrimonial bonds; and lastly, there was the Parliamentary Divorce, by which he might contract other bonds if he were so inclined. All these proceedings were founded upon different principles, and they formed a perfect investigation of the case, and afforded full relief where they were duly gone through.

Lord NUGENT thought that the evidence being closed every Member owed it to the honour of the parties interested, to take the earliest opportunity of stating the impressions upon his mind. The evidence had left upon him the most complete and satisfactory conclution that there was not the slightest shadow of collusion or of misconduct, imputable to the Noble Lord. As far as he was concerned, he should vote for the clause which gave the Noble Lord the relief he asked for, and he trusted that the relief would be as speedy as possible.

Mr. HUME felt it his duty to enter his protest against giving his opinion on this latter point. From the manner in which the evidence had been taken, he could not make up his mind, and he was extremely sorry that the declaration of his Noble Friend had obliged him to make this statement.

The Bill was then ordered to be printed, and the Speaker resumed the Chair.

Sir GEORGE CLERK then brought up the evidence, which was read and ordered to lie on the table.

Mr. HUME was not aware that any objection existed to printing the evidence. The greatest part of it had been taken when not twenty Members were in the House.

Mr. WARBURTON seconded the motion. He was willing to spare the feelings of individual, but publick justice ought to be attended to. The evidence ought to be printed, if more intended to vote than the twenty that had heard it.

Sir HENRY HARDINGE would not object to the printing of the evidence, if it was the wish of the House, but he thought that Honorable Members ought to be as sparing of delay as possible.

Mr. ROBERT GRANT thought that the House would not discharge its duties without having the evidence printed. Sincerely deprecating every degree of unnecessary delay—sincerely deprecating any pain to the feelings of the parties—he must say, that not only the utmost deliberation, but the utmost appearance of deliberation, was due to the character of the House and the gravity of the case.

The CHANCELLOR of the EXCHEQUER though that the case of adultery had been esta-

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blished beyond a doubt, & he did not think the decision of the House would be altered by the printing of the evidence. The best judgment would be formed by those who had attended the proceeding and it was competent to Members to complain on the third reading.

Mr. TENNYSON said that the Right Honourable Gentlemen would be correct, if only those who heard the evidence were to vote upon the Bill; but twenty Members alone were present when the evidence was given, and he need not say that a great many more would decide the question. The evidence ought to be printed. It was remedy out of the lower classes, and naturally regarded on this jealousy by the great body of the people. It ought to be recollected too, that Lord Ellenborough was a Member of that other House whose decision was the only suggestion to precede their judgment. He hoped, therefore, that the Right Honourable Gentleman would not oppose the printing of the evidence, without which it would be unbecoming in them to give a vote upon the question.

Sir HENRY HARDINGE declared, in explanation, that it was more for the sake of the unfortunate lady, whom he had formerly known well, than from any consideration in the remotest degree connected with his Lordship, that he had raised his voice upon the occasion; but if it were the general sense and feeling of the House that this evidence should be printed, he certainly would not oppose it.

Mr. LENNARD said, his mind was made up as to the fact of her Ladyship having uniformly received kind treatment from Lord Ellenborough This was proved by four witnesses—by the brother of his Lordship, by the butler, another servant, and the early friend of Lady Ellenborough, and he did not think it could be established by other or better evidence in a Court of Justice. He was satisfied respecting the criminalty of Lady E., and consequently did not deem it necessary to print the evidence; but if such was the general feeling of the House, he had no object.

Mr. BATLEY did not think it would be right for the House to give their decision without having the evidence printed.

Mr. H. DRUMMOND observed that the House was acting judicially, and thought that in deference to the opinions of many Members and the dignity of their proceedings, they ought to make these proceedings as judicial as possible. He had no doubt upon the case; but he wished to have the evidence printed.

Sir G. CLERK said his Right Hon. Friend and he had no objection to the evidence being printed. He could state most broadly that no friend of Lord Ellenborough's could do otherwise, as far as he was concerned, than wish for a publication of the entire transaction.

Sir H. HARDINGE had expressed himself most infelicitously if he had given the House to understand that in consideration of his Lordship's interests of feelings he had any objection to having the evidence printed.

An Hon. MEMBER, whose name we could not learn, declared himself satisfied of her Ladyship's guilt; but regretted that no provision was made for her. He suggested the introduction of a Clause, which should prevent her from being in the condition of a pauper.

Sir G. CLERK said that such a measure was in contemplation.

Sir H. HARDINGE, as one of the Co-trustees to Lord E.'s marriage settlement, said that such a provision would be made as had received the approbation of the lady's family. The evidence was then ordered to be printed.—*Morn: Chro. April 2.*

Sir THOMAS MUNRO, K. C. B.

LATE GOVERNOR OF MADRAS.*

The New Monthly Magazine for March.

If, afterthe recent disclosures, any douht existed, that the Government had already determined—not to "review," but to "renew" the Charter of the East India Company this very session, the mere mention of a Committee of inquiry, and one has actually been appointed, would at once remove it from the mind of any one accustomed to scan the march of ministerial tactics. The noble Lord at the head of the India board knew very well what he was writing about—he wanted nothing but discretion; he could not share the secrets of state and content himself with his own chuckle, but he must have a confidante, though that confidante were all but a stranger. With a Committee consisting of two or three of the very Directors of the Company, who are not surely to be turned from their own interests—some country gentlemen who know nothing about India, nor care about it—three or four whose hands are already full of foreign matters and a few faggers of all work, the business will of course drop into the hands of four or five members, and among them will, we may be certain, be the Directors. Four or five constitute a quorum, and these will have the arraying of the evidence, and the getting up of the reports, which are probably already in progress. Nevertheless, some facts relative to India must, for common decency's sake, come forth, and any thing relative to India is welcome, if it will but awaken a little interest among us relative to the country. For truly the general apathy on the subject is perfectly marvellous, is precisely as if the matter concerned nobody but Mr. Buckingham, and a few private merchants. Our very out-of-place statesmen, cannot make a party question of it, and can with difficulty even get up an occasional debate about it. The literary world seem almost to forget there is such a country, though it still, we believe, fills a page or two in geographical grammers; and we ourselves have actually seen a recent school-book of general history, spreading our India conquests over half a dozen pages. Till Heber's book appeared—which, by the way, all amiable and agreeable as it really is, does but skim the subject without gathering the cream of it—we have not had even books of travel since Lord Valentia's and Buchanan's. Now and then the missionaries used to furnish a few sketches, and an old East Indian a new translation, or a scrap of history, or a pamplet. But now all is dead silence relative to a country which, from the peculiarities of its religion, customs, habits, and sentiments, is full of interest and novelty—and to what is all this to be ascribed, but the wet blanket which the Company throw not only over free discussion, but free communication of any kind? Who, under existing restraints, is to know any thing of India, but their own servants, and which of them will risk the loss of that for which alone they enter the service? Even termination of service does not cut asunder the ties that bound their old servants; every man who has served his twenty, thirty, or forty years in India, has close connexions with some who are still in the country, and whose interests are inseparably involved in those of the Company, and therefore dares not, or cares not, to endanger them even by a hint. The rule of the Company is a perfect despotism, and directly or indirectly padlocks the mouths of all their dependents and the friends and relatives of those dependents. There are doubtless scores of intelligent and experienced persons now at home, who from long residence in the heart of India, and unlimited opportunities, are capable of supplying the most complete and gratifying information—but nothing comes. Among the reasons, very solid ones some of them, for throwing open India more widely to the British public, besides the demands of private trade and internal colonization, ought surely to be enumerated the claims of literature—the solid interests of general knowledge. India is an important chapter in the history of the world, and the materials for the construction of it are yet deplorably scanty. What is most known of India is precisely what is least soothing and satisfactory—the career of our blood-stained acquisitions. Mr. Mill's book contributes little to any intimate acquaintance with the manners and mental associations of the people—he generalizes too freely.

In this dearth, and despair of works on India the Life of Sir Thomas Munro, which has just appeared, is a welcome present, containing, as it does, large selections from his papers, which communicate much of the very knowledge we most desire to possess, and more satisfactory information than any publication we can name, for many years. Sir Thomas was forty seven years in the Company's service, and actually spent forty in the country, for the most part engaged in the civil department, and in offices of great trust. He was, from the first, a close observer of the country, and a speculator on its possible improvement, and early called upon, from his position, to concentiate his sentiments in reports, while his confidential correspondence with his father gave him the opportunity of detailing the grounds of them. This correspondence, with reports and minutes which his biographer has selected for publication, bears directly upon the chief questions of interest relative to India, and all with the stamp of personal knowledge visibly impressed upon them. Mr. Gleig, though himself unacquainted with the scene of Munro's exertions, has spared no pains to penetrate into the actual condition of the country, and is certainly as well qualified as any man in England to communicate his impressions. The papers put into his hands were exceedingly voluminous, and though by far the largest portion of the volumes are occupied with extracts; much that is valuable, he assures us, remains behind. The publication is particularly acceptable—it is admirably well-timed.

The career of this eminent person is well worth tracing on various accounts. He is an instance of what steadiness and perseverance will accomplish, not without abilities, but without particular patronage, where industry and talent are wanted. Munro did not go to India, utterly without friends; he was a Scot, and his countymen already swarmed in India, and of course ruled it; but he proceeded under the wing of no very great man. He was known but to few, and, for the most part, had to work his own way. He saw the commodities that were most in demand, and resolved to acquire them—knowledge of the spoken languages, and acquaintance with the manners of the people. These he studied with diligence; his friends knew his industry, and they spoke of it. The result was obvious; his acquirements were wanted; they were used; they were employed in counsel and in action, and distinction followed. He landed in India a simple cadet, and he died, the Governor of Madras, in the provinces of which he had spent his days and exerted his best energies.

Born at Glasgow, in the year 1761, Munro was educated at the school and college of his native town, and passed through the forms and classes of both, if not with any remarkable distinction, at least with the reputation of assiduity and ability. His father, a merchant trading with Virginia, destined him for his own profession, and placed him, for preparatory drilling, in the counting-house of a fellow townsman, where he continued two years, employing his leisure hours zealously in the prosecution of literary acquirements, for which his education had given him a taste. The explosion of the American colonies led to the ruin of his father's affairs, and broke up the better hopes of his numerous family. The sons were dispersed. Thomas was, by the interest of friends, rated as a midshipman in one of the East India Company's ships; but before the vessel sailed, a more desirable appointment was obtained for him—a cadetship on the Madras establishment. Reaching Madras early in 1780 he immediately joined the regiment to which he was attached—no raw youth, though with none of the qualifications peculiarly fitted for Indian service. In the war with Hyder, which began in the following summer, young Munro was actively engaged in battles, sieges, and skirmishes, till the suspension of hostilities which terminated in the peace of 1784. Throughout these campaigns, he corresponded with his father, and detailed, and speculated, and criticised, with great vivacity—describing the course of events distinctly, but commenting with a leaning to severity on the conduct of his superiors. In a youth of any native ardour and frankness of character, this is perfectly natural—the humbler his rank, the less he can know; he is uninformed of the motives of his commander, and all seems blunder and stupidity; he is in the dark, and must grope—any thing but acquiescence; he is at sea without a compass, and easily misses his course. This disposition to judge severely of the actions of his chiefs, mitigated as he grew older, or rather as he rose in the service; he became more contented with their conduct, he was better informed, and more reserved and prudent, because he better understood his own interests, and saw the necessity for the exercise of those qualities to make his way in the world: he left the detection and exposure of possible or probable errors, which has often the aspect of cavilling, to his juniors, who will run the same course to the end of time.

For four years after the peace, he was on duty either at Madras or in garrison gaining no useful experience in his profession, but never idle. At this period, his friend and countryman Captain Read, procured him an appointment under himself in the Intelligence department, and two years were thus spent, chiefly in the district of Guntoor. The warlike preparation of Tippoo, and especially his attack on the lines of Travancore were the signal for a new war; and Munro, eager for professional distinction, obtained permission to pursue his regimental duties, and served accordingly till the peace of 1792. The character of his correspondence during these campaigns proves the ripening vigour of his conceptions, without exhibiting much increase in the quality of prudence: he censures sharply the impolicy of the Government in protecting Tippoo, as a balance against the Nizam—a fierce and formidable foe against a weak and harmless one; he laughs at the fears of encumbering the company with too much territory—at Lord Cornwallis who, full of apprehension lest he should be driven to take Seringapatam, exclaimed, "Good God! what shall I do with it! Munro saw clearly, the destruction of Tippoo was the only security for the peace of the Deccan, and where he could with any propriety urged the necessity of it. The old policy, however prevailed; for though, as some punishment for his temerity, Tippoo was stripped of several provinces, he was still left strong enough to make, in a few years, a final war indispensable.

The share of the spoil which fell to the Company was the Baramahl, a country adjoining the Madras territories; and to the command of this province was Colonel Read appointed, who immediately named Munro his assistant. These offices were strictly of a civil nature, and the civilians of the Presidency were, of course, not sparing of complaint. Whatever of this kind was given to the military was taken from them, and they resented accordingly. But the truth is, at that period, the civilians were generally inferior to the soldiers; scarcely any of them took the trouble to learn the languages of the country, but trusted to native interpreters, and were of course exposed to all sorts of delusions. The education of the Company's civil servants was not at all directed for the effective execution of office; whilst the military, knowing their chance of profitable employment depended solely on superior fitness, were many of them found prompt and indefatigable in acquiring the necessary qualifications. In the Baramahl, Munro continued with Colonel Read for nearly seven years, and his letters during his engagements in surveying and leasing this important province, are full of valuable facts: they present, indeed, a more interior view of the state of Hindoo society, the business of the collector and the principles on which the government was conducted, than any other publication extant. Every thing was effectively organized; the property of the soil became the Company's and the occupants held immediately of them. The population amounted to 600,000—the farmers to 60,000, few of them paying more than 150 pagodas rent (a pagoda is 8s.) and the greater part not more than ten or twenty, averaging, wet and dry soils, about two rupees the acre. Many of the letters of this period, especially such as related to the improvement of the revenue, were, by the excusable vanity of his friends, handed about, and some of them shown to Mr. Pitt—a practice, which his growing prudence bade him repress. Mr. Pitt was little likely to patronize the intelligent but indiscreet writer; and the Company, his masters, were naturally inclined to disapprove of free speaking, and if useful suggestions could be made, desired to have them made to themselves exclusively.

As Munro's sagacity had foreseen Tippoo impelled by passion more than prudence, showed, in 1799, symptoms of fresh hostility. The new Governor, Lord Mornington, with more decision than his predecessor, lost not a moment in dispatching adequate forces, in conjunction with the Nizam, to Seringapatam, with the avowed intention of crushing for ever the power of Tippoo; and he accomplished it in a few months. Captain Munro marched with a corps collected by Colonel Read, but did not arrive at the capital till some days after its fall and the death of its master. But though old, late to share the glory acquired from the storming of Seringapatam, he had the good fortune, in company with Malcolm, the present Governor of Bombay, to be appointed joint secretary to the commission for settling the partition treaty, which finally divided the territories of Mysore between the Company and the Nizam—business of this kind is quickly dispatched in India. With new provinces the Company required new agents; and so highly did Munro stand in the opinion of his superiors, that he was immediately appointed to the charge of Canara, a province on the Malabar coast. Though an honorable appointment, it was not precisely what he desired; he had been seven years employed in the Baramahl, Col. Read was quitting it, and he had for some time cherished the hope of succeeding him, and reaping the tranquillity he had himself largely contributed to establish. The bitterness of disappointment was sweetened by the assurance that no officer in the service was so capable of reducing the new province to any useful submission to the Company; and he proceeded to his destination with a resolution to prove his fitness for any task of difficulty or danger. A single twelvemonth, with his indefatigable exertions, sufficed to bring one of the wildest regions of India to complete order and a profitable revenue. Never, however, liking what seemed to him a banishment, he longed for a removal: and learning that the provinces which had recently fallen to the Nizam were going to be given up to the Company, as an indemnity for the payment of troops furnished to him, he solicited the superintendence of them—they are known by the title of the Ceded Districts. The request was granted, with some reluctance, from the difficulty of finding a competent successor for Canara. The Ceded Districts however, required an efficient officer, and he owed the new appointment entirely to the general sense of his merits and the efficiency of his services. In this important command he continued seven years, indefatigable in his efforts and successful in their results. The portion of his correspondence during this period is among the most interesting of the volumes. Though chiefly official, and relating to matters of revenue, and especially of police it is highly acceptable to such as desire to be informed of the machinery of the interior government of the provinces. Much of it concerns the habits and condition of the people, and conveys information precisely upon topics which at home are least understood. Several letters also are given from Colonel Wellesley, then engaged with Lake against the Mahrattas which will be read with some interest, as early proofs of the sort of direct and business like understanding which still distinguishes that eminent person.—(*To be concluded*)

* The Life of Major-General Sir Thomas Munro, Bart. and K. C. B. late Governor of Madras, with Extracts from his Correspondence and Private Papers By the Rev. G. R, Gleig, M. A. M. R. S. L. &c.

MISCELLANEA.

On Monday last, Mr. Norris of Prince's Risborough, called at the Rev. Mr. Stephen's of Bledlow Vicarage on a visit; when in going into the stable with his horse, he was greatly shocked at seeing a boy about ten or twelve years of age, who was in Mr. Stephen's service, suspended by a cord to a beam. He lifted him up, and called to the inmates of the house for a knife, with which he cut the boy down, and by the use of proper means shortly restored animation. Had another minute or two elapsed before Mr. Norris entered the stable, every effort must have proved ineffectual. On Monday previous (the day on which Tyler and Sewell were executed) the same boy tied a cord round his neck, threw it over a beam, and held the other end in his hand for some time. It is conjectured that the execution of the above-mentioned criminals, which occasioned much talk in the neighbourhood, had led the boy to try the rash experiment, as no satisfactory reason can be assigned for his conduct. Mr. and Mrs. Stephen, who are [redacted] have invariably [redacted] the most amiable disposition kindness. [redacted] ated him with the greatest

DIABOLICAL AT[redacted] of the Royal Oa[redacted]MPT.—The pump in the yard repair, Mr. Talbi, in this town, being out of repair it on wednrt, plumber, was engaged to enabled to complo[redacted]day se'nnight, and not being rope and bucket b[redacted]te the work that evening, the well were left i[redacted] which he descended into the morning he pro[redacted] the yard. On the following stepped into the [redacted]eeded to the work, and had of being lowered[redacted]cket, which was on the point covered that in th[redacted], when a man who was by dis- villain had wantc[redacted] course of the night some of the four of whonly severed three strands out and had it not[redacted]ich the rope was composed, Mr. Talb[redacted] been discovered that instant, whole deport must have been precipitated the has been [redacted]th of the well about 70 feet. A reward who con[redacted]offered for the discovery of the fellow be su[redacted]mitted the crime and we hope it may [redacted]essful.—*Dorset Chronicle.*

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